

REMARKS

Claims 7-15 are pending. Claims 7 and 11 are in independent form and have been amended.

In the final Office Action dated March 17, 2004, Claims 7-10 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,412,224 (*Sugitani*), and Claims 11-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sugitani* in view of U.S. Patent No. 4,722,824 (*Wiech*). Applicants understand from the Examiner's remarks in the Advisory Action dated July 20, 2004, that the Examiner did not find the arguments presented in the Amendment After Final Rejection filed on May 26, 2004 persuasive. In view of the Examiner's rejections and remarks, Applicants respectfully submit the following remarks.

Applicants submit that independent Claims 7 and 11 are patentable over the above-identified references, for at least the reasons set forth below.

One feature of the invention as set forth in independent Claim 7 is a step of fitting a plurality of recessed portions to flow passage walls of a ceiling member by applying a force to the ceiling member along a direction in which a plurality of energy generating elements are arranged, thereby causing the ceiling member to move in the direction in which the plurality of energy generating elements are arranged, so as to align flow passages with the energy generating elements. Applicants submit that nothing in *Sugitani* would teach or suggest at least this feature of independent Claim 7. Accordingly, that claim is believed allowable over the cited art.

One feature of the invention as set forth in independent Claim 11 is a step of fitting a plurality of recessed portions to flow passage walls of a ceiling member by vibrating a substrate so that a force having at least a component acting in a direction in which a plurality of energy generating elements are arranged is applied to the ceiling member, thereby causing the

ceiling member to move in the direction in which the plurality of energy generating elements are arranged, so as to align flow passages with the energy generating elements. Applicants submit that nothing in *Sugitani* or *Wiech*, whether taken singly or in combination (even assuming, for the sake of argument, that such combination were permissible), would teach or suggest at least this feature of independent Claim 11. Accordingly, that claim is believed allowable over the cited art.

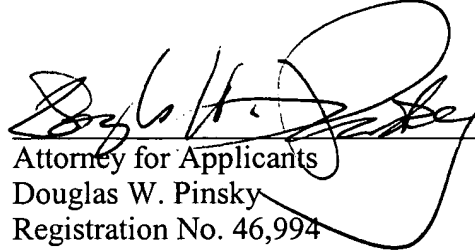
A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against independent Claims 7 and 11. Those claims are therefore believed patentable over the art of record.

The other claims presented for examination are each dependent from independent Claim 7 or 11 and are therefore believed patentable for at least the same reasons. Since each of these dependent claims is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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